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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,063	07/18/2003	Delpha Mattison	23-0250	2698

7590 08/15/2005
DELPHA MATTISON
5205 W 37TH STREET
SIOUX FALLS, SD 57106

EXAMINER

MAI, TRI M

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/623,063

Applicant(s)

MATTISON, DELPHA

Examiner

Tri M. Mai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/19/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, all of the height, width of the end walls and sidewall, and compartments and all the axis must be shown in the drawings must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. One of the references in the IDS does not have a number.

3. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 20 is confusing. The claim recites "at least one divider" and then recite another divider.

4. Claims 1, 5-10, 12, 14, and 17-19 are rejected under 35 U.S.C. 102 (b) as being anticipated by Miceli (2911024). Miceli teaches a purse system having an insert having a top and a top and being elongated comprising sidewall, end walls, a bottom wall, and at least one divider as claimed.

Regarding claim 6, the claim requires only two compartments and the there are at least two compartments in any of the three embodiments meeting the claimed limitations.

5. Claims 11, 15, and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Miceli, and further in view of either Walters or Albert. It would have been obvious for one of ordinary skill in the art to provide the compartment in the proportion as claimed to provide the desired dimension for the compartment.

6. Claims 2-4 are rejected under 35 U.S.C. 103 (a) as being unpatentable Miceli in view of either Walters (2397225) or Albert (3258017). It would have been obvious for one of ordinary skill in the art to provide the arcuate notches on the dividers in Miceli as taught by either Walters or Albert to enable one to access the contents easily.

Regarding claim 4, it would have been obvious for one of ordinary skill in the art to provide the V-shaped notch to provide an alternative design for the notch.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Miceli rejection, in paragraph 6, and further in view of Carroll. It would have been obvious for one of ordinary skill in the art to provide the V-shaped notch as taught by Carroll to provide an alternative design for the notch.

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8. Claim 20 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Miceli in view of either Lahaye (5441153) or Schweitzer (4784304), and further in view of either Walters or Albert. It would have been obvious for one of ordinary skill in the art to provide the compartment made from transparent as taught by either Lahaye or Schweitzer (col. 5, ln. 8) to enable one to see the inside contents.

With respect to the dimensions, it would have been obvious for one of ordinary skill in the art to provide the compartments, the sidewalls and the end walls in the claimed dimension to provide the desired dimensions for the contents.

It would have been obvious for one of ordinary skill in the art to provide the arcuate notches on the dividers in Miceli as taught by either Walters or Albert to enable one to access the contents easily.

9. Claims 1-3, 5-7, 12, 13, 17, and 19 are rejected under 35 U.S.C. 102 (b) as being anticipated by Schweitzer. Schweitzer teaches an organizer having side, end walls, a bottom wall, and a plurality of compartments having arcuate edge as claimed.

Regarding claim 13, note the transparent compartment (col. 5, ln. 8).

10. Claims 1, 5-9, 13, and 17-19 are rejected under 35 U.S.C. 102 (b) as being anticipated by Lahaye. Lahaye teaches an organizer having side, end walls, a bottom wall, and a plurality of compartments as claimed.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (571)272-4541. The examiner can normally be reached on 7:30am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on (571)272-4544. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tri M. Mai
Primary Examiner
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